

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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BROADCAST MUSIC, INC., et al., )

Plaintiffs, )

v. )

ROCKHOUSE LIVE COLLIERVILLE, )  
LLC and ZACH BAIR, )

Defendants. )

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No. 2:24-cv-02204-SHL-cgc

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**ORDER FOR PLAINTIFFS TO SHOW CAUSE FOR FAILURE TO PROSECUTE**

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This case has been pending before the Court since April 1, 2024. (ECF No. 1.) After six months of inactivity, the Court ordered Plaintiffs to show cause by October 22, 2024, for their failure to file proofs of service on Defendants. (ECF No. 8 at PageID 21.) Plaintiffs responded on the day of the deadline, stating that they inadvertently neglected to file their proofs of service showing Defendants were served via certified mail on April 8, 2024. (ECF No. 11 at PageID 28–29.) The next day, the Court ordered Defendants to show cause for their failure to respond. (ECF No. 12.) The Court issued a second show cause order on January 23, 2025. (ECF No. 13.) To date, Defendants have not responded to either order and have not appeared in this action.

On June 24, Plaintiffs filed a motion requesting that the Clerk enter default judgment. (ECF No. 14.) The Clerk denied the motion because it was improper—Federal Rule of Civil Procedure 55 first requires a party to seek an entry of default before they may obtain a default judgment. (*Id.*) See also Fed. R. Civ. P. 55(a)–(b). It has been nearly a month since Plaintiffs’ motion was denied, and they have not sought an entry of default. Thus, Plaintiffs are

**ORDERED TO SHOW CAUSE** by **July 28** for their failure to prosecute. Failure to do so may result in dismissal of this action under Federal Rule of Civil Procedure 41(b).

**IT IS SO ORDERED**, this 21st day of July, 2025.

s/ Sheryl H. Lipman  
SHERYL H. LIPMAN  
CHIEF UNITED STATES DISTRICT JUDGE